

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SEIBENTHAULER LODGE,

Plaintiff,

No. 2:17-cv-1180-SMV-KRS

v.

CITY OF CLOVIS, CLOVIS POLICE
DEPARTMENT, BRENT AGUILAR, Officer,
BRICE STACY, Officer, STEPHEN BORDERS,
Officer, AMANDA BOREN, Officer, CHRISTOPHER
CARON, Officer, DOUGLAS OSBORN, Officer,
CHRISTIAN TOWNSEND, Officer, in their individual
and official capacities,

Defendants.

ORDER DIRECTING DEFENDANT(S) TO CLARIFY

THIS MATTER is before the Court *sua sponte*, following a review of the record in the above-titled cause. On November 30, 2017, Defendants filed a Notice of Removal (Doc. 1) which stated, *inter alia*, that all of the named defendants would be “hereinafter referred to as ‘City of Clovis Defendants’” and that all such defendants were represented by Gregory L. Biehler. (Doc. 1, p. 1). One week later, on December 7, 2017, Mr. Biehler filed an Answer to Plaintiff’s Complaint (Doc. 4) on behalf of the singular “Defendant City of Clovis,” rather than the plural “City of Clovis Defendants.” Yet, the answer appears to assert affirmative defenses on behalf of multiple defendants. (Doc. 4, p. 3). Accordingly, the Court FINDS and CONCLUDES that clarification is necessary to determine whether Mr. Biehler intended to file an answer on behalf of the City of Clovis or the City of Clovis Defendants.

IT IS, THEREFORE, ORDERED that on or before December 15, 2017, Mr. Biehler shall clarify which defendant(s) is/are represented in the Answer to Plaintiff's Complaint (Doc. 4).


Kevin R. Sweazea
KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE